

UNITED STATES DISTRICT COURT

Southern

District of

New York

Picture Patents, LLC

V.

SUMMONS IN A CIVIL ACTION

Aeropostale, Inc.
Dick's Sporting Goods, Inc.
Bath & Body Works, LLC
The Charlotte Russe, Inc.
GSI Commerce Solutions, Inc.
National Basketball Association, Inc.
Major League Baseball Enterprises, Inc.
Linens 'n Things, Inc.
Tweeter Home Entertainment Group, Inc.
Buy.com, Inc.

CASE NUMBER: 07cv5567

TO: Buy.com, Inc.
85 Enterprise Suite 100
Aliso Viejo, CA 92656

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY

Thomas J. Parker
Alston & Bird LLP
90 Park Avenue
New York, NY 10016

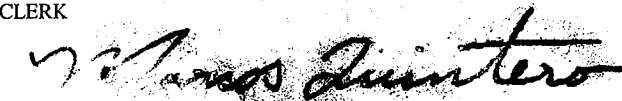
an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

FEB 01 2008

CLERK

DATE



(By) DEPUTY CLERK

OAO 440 (Rev. 8/0 1) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me(1)		DATE
NAME OF SERVER (PRINT)		TITLE
Check one box below to indicate appropriate method of service		
<input type="radio"/> Served personally upon the defendant. Place where served:		
<input type="radio"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="radio"/> Returned unexecuted:		
<input type="radio"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on		
Date	Signature of Server	
Address of Server		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



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and Process Service Company

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PICTURE PATENTS, LLC,

Plaintiff,

Case No. 07cv5567

-against-

AFFIDAVIT OF SERVICE

AEROPOSTALE, INC., et al.,

Defendants.
-----X

STATE OF CALIFORNIA)

S.S.:

COUNTY OF ORANGE)

SURYA VON ROSEN, being duly sworn, deposes and says that he is over the age of eighteen years, is an agent of the attorney service, D.L.S., Inc., and is not a party to this action.

That on the 6th day of February, 2008, at approximately the time of 11:26 AM, deponent served a true copy of the SUMMONS IN A CIVIL ACTION; FIRST AMENDED COMPLAINT; 3RD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL; INDIVIDUAL PRACTICES OF JUDGE JOHN G. KOELTL; AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE HENRY PITMAN upon BUY.COM, INC. at 85 Enterprise Avenue, Suite 100, Aliso Viejo, CA, by personally delivering and leaving the same with Pam Evan who informed deponent that She holds the position of Assistant to General Counsel with that company and is authorized by appointment to receive service at that address.

Pam Evans is a Blk, F, approximately 30 years of age, stands approximately 5 feet 10 inches tall, weighs approximately 200 pounds with blk hair.



SURYA VON ROSEN

State of California, County of Orange
Subscribed and Sworn to (or affirmed) before me on
this 12th day of March, 2008 By
SURYA VON ROSEN, personally
known to me or proved to me on the basis of
satisfactory evidence to be the person(s) who
appeared before me.



NOTARY PUBLIC

